

CROWELL LAW
Carl D. Crowell, OSB No. 982049
email: carl@crowell-law.com
P.O. Box 923
Salem, OR 97308
(503) 581-1240
Of attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

CRIMINAL PRODUCTIONS, INC.

Plaintiff,

v.

DOE-76.115.12.88,

Defendant,

Case No.: 3:17-cv-00157-AC

MOTION TO EXTEND OR SUSPEND
RULE 4(m) DEADLINE AND STATUS
REPORT

UNOPPOSED

LR 7-1

Plaintiff has conferred with opposing counsel in this matter and this motion is unopposed.

PLAINTIFF'S MOTION TO EXTEND OR SUSPEND RULE 4(m) DEADLINE
AND STATUS REPORT

Pursuant to FRCP 16(b)(4), plaintiff moves for a 45-day extension of time to effect service of the complaint. On an appearance by a defendant plaintiff requests that the parties be given 30 days to confer and submit a new proposed scheduling order.

PLAINTIFF'S REPORT ON STATUS

As outlined in plaintiff's complaint (Dkt. 1), plaintiff is seeking relief against the party who used IP address 76.115.12.88 to infringe plaintiff's rights. On March 17, 2017, Comcast identified a specific subscriber and letters were dispatched on March 19 and 27, without response. On April 12, the subscriber was served with an FRCP 45 subpoena for their deposition scheduled May 15, 2017. (Documents available, withheld as a courtesy.)

On April 27, counsel for the subscriber contacted plaintiff and the parties have entered into discussions to affirm the identity of the proper defendant, if possible. Counsel for the defendant, Douglas Raab, Brownstein Rask, 1200 SW Main Street, Portland, OR 97205, is unavailable for the scheduled May 15 deposition and the parties have agreed to continue the deposition of the subscriber to May 24, 2017, at Mr. Raab's office, if necessary.

Plaintiff submits it has been diligent in its efforts to date and further time is warranted. To the extent there have been delays, such have been in an effort to give the subscriber notice (by Comcast), to avoid compelled appearances, and to accommodate counsel for the defendant.

Plaintiff submits this matter is best managed with a suspension of the FRCP 4(m) deadline, with plaintiff to further report in 45 days

DATED: May 16, 2017.

Respectfully submitted,

CROWELL LAW

/s/ Carl D. Crowell

Carl D. Crowell, OSB No. 982049
carl@crowell-law.com
503-581-1240
Of attorneys for the Plaintiff